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Attorneys for Plaintiffs

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA
(SAN FRANCISCO DIVISION)**

| | |
|-------------------------------|--------------------------------|
| IN RE: BEXTRA AND CELEBREX |) MDL CASE NO.: 05-CV-1699 |
| MARKETING SALES PRACTICES AND |) |
| PRODUCT LIABILITY LITIGATION |) |
| _____ |) |
| |) |
| DUARTE, et al., |) CASE NO. CGC-06-449462 |
| |) MDL Case No. 06-2391 CRB |
| |) |
| Plaintiffs, |) STIPULATION AND ORDER OF |
| |) DISMISSAL WITH PREJUDICE |
| vs. |) AS TO PLAINTIFF SANDRA JOSEY |
| |) |
| PFIZER, INC., et al. |) |
| |) |
| Defendants. |) |
| |) |
| _____ |) |

COME NOW, Plaintiff SANDRA JOSEY and Defendants PFIZER, INC., et al., by and through the undersigned attorneys, pursuant to Federal Rule of Civil Procedure, Rule 41(a), and

**STIPULATION AND ORDER OF DISMISSAL WITH PREJUDICE
AS TO PLAINTIFF SANDRA JOSEY**

1 hereby stipulate to the dismissal of Plaintiff SANDRA JOSEY from this action, with prejudice,
2 each side bearing its own attorney's fees and costs.

3
4 Respectfully submitted,

5 Dated: October 8, 2009

KABATECK BROWN KELLNER LLP

6
7
8 By: 
9 Brian S. Kabateck, Esq.
Attorneys for Plaintiff SANDRA JOSEY

10
11 Dated: October 27, 2009

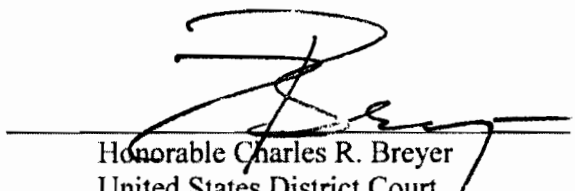
DLA PIPER LLP

12
13 By: /s/
14 Matthew A. Holian
Attorney for Defendants PFIZER, INC., et al.

15
16 **ORDER**

17
18 **PURSUANT TO THE TERMS SET FORTH IN THE PARTIES' STIPULATION, IT IS**
19 **SO ORDERED.**

20
21 Dated: OCT 29 2009

22 
23 Honorable Charles R. Breyer
24 United States District Court